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THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

[25 February 1997]

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I. LAND AND PEOPLE

1. The Republic of Macedonia is situated in the southern part of the Balkan Peninsula and covers a total area of 25,713 km^2. According to the 1994 census, the country has 1,945,932 inhabitants of whom: 22.7 per cent Albanians, 66.6 per cent Macedonians, 2.2 per cent Roma, 2.1 per cent Serbs, 4.0 per cent Turks, 0.4 per cent Vlachs, 1.9 per cent others and 0.1 per cent not declared.

Table 1. Total population by declared ethnic affiliation in the 1994 census

Macedonians	Albanians	Turks	Roma	Vlachs	Serbs	Others
1 295 964	441 104	78 019	43 707	8 601	40 228	38 309
66.6%	22.7%	4.0%	2.2%	0.4%	2.1%	1.9%

Table 2. Basic annual indicators I

	Basic measure	1993	1994	1995
LAND				
Arable land	ha	663 256	660 797	665 891
Forested land	ha	3 158	3 881	2 824
Number of water sources		192	186	-
POPULATION				
Total inhabitants	at mid-year, in thousands	2 066	2 075	
Male		-	976	
Female		-	961	
Live births		32 374	33 487	32 154
Deaths		15 591	15 771	16 338
Natural increase		16 783	17 716	15 816
Rates:				
Natality		15.7	16.1	-
Mortality		7.6	7.6	-
Natural increase		8.1	8.5	-
Infant mortality		24.1	22.5	22.7
Mother mortality 1/		0.60	1.19	2.18

1/ Computed on 10,000 inhabitants.

Table 3. The 1994 census, first results

Total population	1 936 877
Households	503 456
Dwellings	582 981
Agricultural holdings	177 447

Table 4. Basic annual indicators II

	Basic measure	1993	1994	1995
Total employed	No.	457 215	433 126	391 931
Self-employed		36 187	37 440	35 314
Employed in the public, cooperative, mixed, State and private ownership		421 028	395 686	356 617
Industry, mining and water management		170 221	160 225	139 140
Agriculture, fishery and forestry		34 212	33 925	27 237
Construction		36 513	33 368	31 466
Productive (manufacture) services		95 855	83 451	74 163
Non-productive services		84 227	84 717	84 611
Persons seeking employment, by qualifications:				
Total		174 848	185 906	216 222
University education		7 250	7 236	7 719
Higher education		5 316	5 344	5 648
Secondary education		45 497	47 090	51 945
Highly skilled and skilled		32 773	34 527	40 543
Semi-skilled and with primary education		84 013	91 709	110 367

Table 5. Male and female population in the total population according to the last five censuses

Year	Total	Males	Females
1961	1 406 003	710 074	6 959 929
1971	1 647 308	834 692	812 616
1981	1 990 136	968 143	940 993
1991	2 033 964	1 027 352	1 006 612
1994	1 945 932	974 255	971 677

Note: The total population figures are a combination of data on the actually censused population in the Republic and estimates on the non-censused population in the municipality of Debar.

Table 6. Basic population structures (%)

	1961	1971	1981	1991
Share of the population aged 0-14	37.2	32.5	29.1	24.0
Share of the work-capacitated population	56.1	60.0	62.7	64.8
Share of the population aged over 65 (60 with females)	6.7	7.5	8.2	11.2
Share of the farming population	51.4	39.9	21.7	14.7
Share of the population from urban areas	38.6	48.7	55.2	58.0

Note: The 1994 census data concerning this particular element are still being processed.

Table 7. Population by sex and age group according to the 1994 census data

Age	Total	Males	Females	Total (%)	Males (%)	Females (%)
0-4	152 456	78 539	73 917	100.0	51.5	48.5
5-9	163 546	84 089	79 457	100.0	51.4	48.6
10-14	167 921	86 185	81 736	100.0	51.3	48.7
15-19	162 852	83 181	79 671	100.0	51.1	48.9
20-24	153 490	78 390	75 100	100.0	51.1	48.9
25-29	151 339	76 715	74 624	100.0	50.7	49.3

Table 8. Infant deaths by age

	1988	1989	1990	1991	1992	1993	1994
Total	1 508	1 319	1 120	984	1 018	781	752
Up to 30 days old	717	666	627	566	554	471	462
0-6 days	483	472	446	405	414	346	353
Up to 24 hours old	156	179	151	171	198	152	139
1 day	109	118	102	113	88	72	100
2 days	85	67	73	39	54	48	47
3 days	56	38	51	29	24	34	27
4 days	36	29	29	19	15	18	19
5 days	19	23	24	21	21	8	9
6 days	22	18	16	13	14	14	12
7-13 days	85	72	75	63	53	57	53
14-20 days	71	61	46	47	44	33	28
21-27 days	63	50	49	34	28	23	17
28-29 days	15	11	11	17	15	12	11
1 month	170	151	107	97	101	79	71
2 months	134	138	97	88	88	59	44
3 months	109	102	75	76	66	48	53
4 months	105	67	56	55	55	37	28
5 months	75	51	36	31	40	22	23
6 months	52	36	29	17	24	16	23
7 months	40	32	22	19	25	11	20
8 months	28	27	17	16	21	9	7
9 months	22	17	21	11	22	11	10
10 months	24	17	16	5	11	9	5
11 months	32	15	17	3	11	9	6

2. The average population density amounts to 80.7 inhabitants per square kilometre and varies from one region to another. The highest population density is the city of Skopje with 309.7 inhabitants per square kilometre and the mountain region has the lowest population density, 12.6 inhabitants per square kilometre.

3. In accordance with article 7 of the Constitution of the Republic of Macedonia, the official language of the Republic of Macedonia is Macedonian and its Cyrillic alphabet. In local administration units inhabited mostly or significantly by members of ethnic minorities, the Macedonian language and its Cyrillic alphabet are to be used officially along with the language and alphabet of relevant ethnic minorities, in a manner specified by law.

Table 9. Elected members of Parliament by declared ethnic affiliation, by electoral years

	Total	Macedonians	Albanians	Turks	Romas	Vlachs	Serbs	Others
1990	120	93	23	-	2	-	-	2
%	100	77.5	19.2	-	1.7	-	-	1.7
1994	120	98	19	1	1	-	1	-
%	100	81.7	15.8	0.8	0.8	-	0.8	0.0

Note: In 1996, the number of Macedonian MPs decreased by one and the number of Roma MPs increased by one.

4. There are 55 active political parties in the Republic of Macedonia which have been registered in compliance with the Act on Political Parties; 15 of them represent the interests of national minorities. The Act on Political Parties of the Republic of Macedonia does not prohibit the establishing of parties on a national basis.

5. As for the executive power, the three recent Governments elected by the Parliament (Assembly) have been coalition ones, and one of the coalition partners has always been a party of the Albanian minority. The current Government comprises 20 members of whom 7 (35 per cent) are members of national minorities.

II. THE NATIONAL PRODUCT AND AVERAGE INCOME

6. The 1994 and 1995 social (national) product amounted to 123,098 and 140,851 million denars, respectively. The average per capita national product amounted to US$ 709 in 1993; $662 in 1994 and $933 in 1995.

Table 10. The national product structure by sector of the economy

	Basic value	1993	1994
Social product	thousand denars	60 411 085	123 767 608
The social product structure by sector	%	100.0	100.0
Agriculture, fishery, forestry and water management		13.6	14.9
Agriculture and forestry		13.1	14.2
Industry and mining		37.9	33.5
Food, beverages and tobacco		11.0	10.6
Clothes and footwear		8.0	5.8
Wood and cork		1.0	1.0
Magazines and publishing		1.2	1.3
Chemicals and the like		1.9	3.1
Non-metal minerals		3.2	3.0
Basic metal industry		4.1	3.0
Other metals		7.1	5.4
Other industries		0.4	0.3
Electricity, gas and water		7.6	6.7
Construction		7.1	7.0
Services		29.0	33.5
Transport and communications		8.1	8.6
Trade		18.9	22.9
		1993	1994
Tourism and catering trade and services		2.0	2.0
Public administration		-	-
Other market services		3.0	3.0
Non-market services		1.8	1.4

7. The 1993 average monthly net pay, expressed in denars, amounted to 3,782-3,514 and 4,854 in economic and non-economic activities respectively; in 1994, it amounted to 7,817-7,451 and 9,016 in economic and non-economic activities respectively; and in 1995, it amounted to 8,581-8,302 and 9,373 in economic and non-economic activities respectively.

8. According to relevant data from the Statistical Office of the Republic of Macedonia, the 1994 average monthly net pay per employee, by area of activity, looks like this:

Productive economic activities:	
Industry and mining	7 456
Agriculture and fishery	6 022
Forestry	7 252
Water management	6 619
Construction	5 727
Transport and communications	8 816
Trade	7 454
Catering trades and tourism	6 568
Crafts and personal services	6 715
Housing, utilities, public services, arranging settlements and landscape	8 082
Financial, technical and business services	12 407
Non-economic activities:	
Education, science, culture and information	8 841
Health care and social welfare	8 945
Social and political associations and organizations	9 478

III. THE POLITICAL AND ADMINISTRATIVE SYSTEM

9. Since 1989, the Republic of Macedonia has been undergoing a process of social transition. In 1990, the first multi-party elections for members of Parliament were held, which set out the bases of the new political system of parliamentary democracy.

10. In compliance with the principles of the Charter of the United Nations relating to the right of all nations to self-determination, recognized as well by the International Covenant on Civil and Political Rights, in the referendum held on 8 September 1991, citizens of the Republic of Macedonia confirmed their will to live in a sovereign and independent State. Positive referendum results were a basis for the adoption of the Declaration on International Recognition of the Republic of Macedonia as a sovereign and independent State by the Assembly of the Republic of Macedonia on 19 December 1991.

11. The Republic of Macedonia is the only State of those which had comprised the former Socialist Federal Republic of Yugoslavia, to succeed in achieving independence and sovereignty in a peaceful manner. In its application for admission to the United Nations dated 30 July 1992 and in the Declaration on

Accepting the Responsibilities Contained in the United Nations Charter, the President of the Republic of Macedonia stated that the Republic of Macedonia accepted the responsibilities specified in the Charter and undertook to fulfil them. Moreover, the Republic of Macedonia, as an independent and sovereign State, would undertake to achieve full adherence to the generally accepted principles of international relations contained in United Nations documents and in the Helsinki Final Act of the Organization for Security and Cooperation in Europe and the Paris Charter.

12. The new Constitution of the Republic of Macedonia was adopted by Parliament on 17 November 1991. The Constitution defines the Republic of Macedonia as a sovereign, independent, democratic and welfare State (art. 1).

13. In the Republic of Macedonia, sovereignty originates from citizens and belongs to citizens. The power is vested in the citizens who exercise it through democratic elections of MPs in referendums and by other forms of direct expression of their will. The same power is exercised in compliance with the fundamental values of the Republic of Macedonia's constitutional order such as the rule of law; the division of the State power into legislative, executive and judicial branches; political pluralism; and free, direct and democratic elections.

Legislative power

14. The Parliament of the Republic of Macedonia is a representative body of the citizens and the legislative power is vested in it. The Parliament is unicameral. It has between 120 and 140 members. Members of Parliament are elected in general, direct and free elections by secret ballot, for a term of four years.

Executive power

15. Executive power is vested in the Government of the Republic of Macedonia. The Government is comprised of a president (prime minister) and ministers. The position of President of the Government and of a minister in the Government is incompatible with the performing of other public offices or professions. There is no rule that states that members of the Government must be MPs prior to their being elected by the Parliament. The Government performs its rights and duties on the basis and within the framework of the Constitution and the law. The Government in general, and each of its members in particular, is accountable before the Parliament for their work. The Parliament may vote non-confidence in the Government. The President of the Republic is bound to entrust the mandate for constituting the Government to the party or parties that have won the majority of votes in the Parliament. Upon proposal from the mandator (see paragraph 18) and on the basis of a relevant programme, the Parliament elects the Government by a majority of votes of the total number of MPs.

16. State administration is composed of ministries and other bodies of the administration and organizations specified by law. Political organizing and acting within State administrative bodies is prohibited. The State

administration conducts its work independently and on the basis and within the framework of the Constitution and acts, and is accountable to the Government for its work.

17. The President of the Republic of Macedonia represents the Republic and is the Commander-in-Chief of the Armed Forces of the Republic of Macedonia. The President is elected in general and direct elections, by secret ballot, for a five-year term of office. A person may be elected president for two consecutive terms at most. A candidate is elected president when the majority of the total number of voters have voted for him.

18. The President, inter alia, designates a mandator to constitute the Government of the Republic of Macedonia, appoints and dismisses by decree ambassadors and other diplomatic representatives of the Republic of Macedonia abroad, promulgates laws and acts and has the right to a suspensive veto, proposes two judges to the Constitutional Court and proposes the members of the Council for Inter-Ethnic Relations and performs other functions specified in the Constitution.

Judicial power

19. The judicial power is executed by tribunals. These are sovereign and independent and perform their action on the basis of the Constitution and relevant acts and of international agreements ratified in compliance with the Constitution. The organization of the judiciary is a unique one. Extraordinary tribunals are prohibited. The kinds, competence, establishment, discharging organization and composition of the tribunals are specified by law, and so is the procedure before tribunals. Judges are appointed for life. Judges are appointed and discharged by the Parliament, upon proposal from the Judicial Council. The Judicial Council is appointed by the Parliament. Members of the Council are selected from among distinguished jurists, for a period of six years. The President of the Republic proposes two of the seven members of the Council.

The Public Prosecutor's Office

20. The Public Prosecutor's Office is a single and autonomous State body that carries out legal measures against persons who have committed criminal and other offences determined by law and also performs other duties specified by law. It conducts its functions on the basis and within the framework of the Constitution and relevant acts. The Public Prosecutor is appointed and discharged by the Parliament for a period of six years. The Parliament decides upon the immunity of the Public Prosecutor. The office of Public Prosecutor is incompatible with the performance of any other public office, profession or membership in a political party.

The Constitutional Court

21. The Constitutional Court protects constitutionality and legality. It has nine member judges appointed by the Parliament from among distinguished jurists. The Constitutional Court decides upon the compliance of relevant

acts with the Constitution, the responsibility of the President of the Republic, etc. Among other functions, its functions of protecting the freedoms and rights of citizens is of pivotal importance.

IV. CONSTITUTIONAL FRAMEWORK FOR THE EXERCISE OF HUMAN RIGHTS AND FREEDOMS

22. The fundamental human rights and freedoms recognized by international law, free declaration of ethnic affiliation and observance of generally accepted norms of international law are the basic values of the constitutional order of the Republic of Macedonia. Consequently, citizens of the Republic of Macedonia are equal in their freedoms and rights, irrespective of their sex, race, colour of skin, national and social origin, political and religious beliefs, property and social status. Citizens are equal before the Constitution and acts.

23. Human life is inviolable and consequently, the death penalty may not be imposed on any person for any reason whatsoever.

24. The physical and moral integrity of man are inviolable. Any kind of torture or inhuman or humiliating treatment and behaviour is prohibited.

25. Human freedom is inviolable. Freedom may not be limited to any person, except by a relevant court verdict and in cases and manners prescribed by law. Any person summoned, brought in or detained must immediately be informed about the reasons for their summoning, bringing in or detention and about their rights defined by law; no statement may be asked from such a person. Additionally, each person has the right to an attorney in both the police and court procedures. The person detained has to be brought before a tribunal at once, or 24 hours following his detention at the latest; the court will then, without any delays, decide upon the legitimacy of the act of detention.

26. Each person against whom charges have been raised for a criminal offence shall be considered innocent until their guilt has been confirmed by a legally valid court verdict. Each person who has been unlawfully deprived of freedom, detained or convicted has the right to legal redress and other rights specified by law.

27. The Constitution of the Republic of Macedonia has also promoted the principle of the legal status of the legality of the criminal law. Namely, no person may be punished for having committed an offence that, prior to the act of committing, had not been identified as a punishable offence or to which a penalty had been specified by law. In this sense, no person may be tried again for an offence that he has already been tried for and for which a legally valid court verdict has been issued (the principles nullum crimen, nulla poene sine lege and ne bis in idem.

28. The right to appeal is guaranteed with respect to specific legal acts passed in a procedure by a first instance tribunal, an administrative body or organization, or other public authorities.

29. The freedoms of belief, conscience, thought and public expression of thought are also guaranteed. The Constitution also guarantees the freedoms of

speech; public appearance; public information and establishment of mass media; free access to information; freedom to receive and disseminate information. Additionally, the rights to response, correction and protection of the source of information in the mass media are guaranteed. Censorship is prohibited.

30. The freedom and secrecy of letters and other forms of communication are also guaranteed. In addition, the security and confidentiality of personal data are guaranteed. Citizens are guaranteed protection against harm to their personal integrity that may result from the recording of information concerning them in the process of data-processing.

31. The freedom of religion is guaranteed in this context, the free and public expression of religion, individually or in community with others, is guaranteed.

32. Citizens are guaranteed freedom of association for the purposes of realization and protection of their political, economic, social, cultural and other rights and beliefs. Consequently, citizens may freely set up citizens' associations and political parties, join or leave the same.

33. Citizens have the right to peaceful assembly and expression of public protest without a prior notification and without a special permission.

34. Each citizen has an active and a passive electoral right. This right is equal, general and direct and is exercised in free elections by secret ballot. As for the passive electoral right, each citizen has the right to be a candidate for public offices.

35. In addition, each citizen has the right to submit documents to State bodies and other public services and to receive a relevant answer. The citizen may not be called to account for, or suffer harmful consequences from, the attitudes expressed, unless he/she has committed a criminal offence by the same.

36. Each citizen is guaranteed respect for and protection of the privacy of his/her personal and family life dignity and reputation. The inviolability of the home is guaranteed.

37. Citizenship may not be taken away from any citizen of the Republic of Macedonia nor may he/she be expelled or extradited to another country. Each citizen has the right to move freely within the territory of the Republic of Macedonia and to choose freely the place of his/her permanent stay, to leave the territory of the Republic of Macedonia and return to it again.

38. The right to property and the right to inheritance are guaranteed. In this context, property and the rights resulting from it may not be taken away from anyone except in cases of public interest specified by law. In cases of expropriation of property or its restriction, just reimbursement is guaranteed that may not be lower than the relevant market price. A non-national may acquire the right to property under conditions specified by law.

39. Every person has the right to employment, free choice of job, protection at work and material security during temporary unemployment. Within these frameworks, everyone has access to any job whatsoever, under equal conditions. Each employed person has the right to an appropriate income and the right to a paid, i.e. reimbursed, daily and weekly rest and an annual holiday. Employed persons may not waive these rights. For the purposes of realization of their economic and social rights, citizens have the right to establish trade unions. Trade unions may further establish their own unions, i.e. associations, and be members of international union organizations. The right to strike is also guaranteed.

40. Each citizen is guaranteed the right to health care. Every person has the right and duty to protect and promote his/her own health and the health of others.

41. Every person has the right of man freely to decide whether to have children. In this context, the Republic, for the purposes of harmonized economic and social development, implements a humane population policy.

42. Every person has the right to a healthy environment. To this end, each person is bound to promote and protect the environment and nature. On the other hand, the Republic is bound to provide the necessary preconditions for the realization of citizens' right to a healthy environment.

43. Every person has the right to education. Education is available to all under equal conditions. Elementary education is obligatory and free. Under conditions specified by law, citizens have the right to establish private educational institutions, at all education levels, with the exception of the elementary level. In addition, the freedom of scientific, artistic and other kinds of creation is guaranteed as are the rights resulting from the same. The Republic encourages, supports and protects the development of science, art and culture.

44. Persons belonging to national minorities have the right freely to express, foster and develop their identity and ethnic features. The Republic of Macedonia guarantees the protection of the ethnic, cultural, linguistic and religious identity of national minorities. Members of national minorities also have the right to establish cultural and artistic institutions, and scientific and other associations for the purposes of expressing, fostering and developing their own identity. They have the right to receive teaching in their own language in primary and secondary education while at the same time studying the Macedonian language as well.

45. Foreigners in the Republic of Macedonia enjoy freedoms and rights guaranteed to them by the Constitution, under conditions specified by law and by relevant international agreements. The Republic guarantees the right of asylum to foreigners and stateless persons persecuted because of their political attitudes or actions. Extradition of a foreigner may be carried out only on the basis of a ratified international agreement and reciprocity. A foreigner may not be extradited because of a political criminal offence. Terrorist acts are not considered political criminal offences.

Protection of human rights and freedoms

46. Each citizen may invoke the protection of freedoms and rights specified by the Constitution before tribunals and before the Constitutional Court of the Republic of Macedonia, in a procedure based upon the principles of priority and urgency. The Constitutional Court protects freedom of belief, conscience, thought and public expression of thought, political association and activities and the prohibition of discrimination against citizens on grounds of sex, race, or religious, national, social and political affiliation. In addition, there is a guaranteed court protection of the legality of individual acts of the State administration and of other public institutions. The citizen has the right to be informed on human rights and fundamental freedoms and to contribute actively, individually or in cooperation with others, to their promotion and protection.

47. Parliament has also set up a Permanent Survey Commission on the Protection of Citizen Freedoms and Rights. The findings of the Commission are the basis for initiating a procedure for determining the accountability of public office-bearers. In addition, Parliament elects the public attorney who protects the constitutional and legal rights of citizens when violated by State administrative bodies or other public bodies and institutions. The conditions for the election and discharge, the jurisdiction and the working procedure of the Ombudsman are specified by law.

48. For the purposes of promoting inter-ethnic relations in the Republic of Macedonia, and in compliance with the Constitution, Parliament appoints the Council for Inter-Ethnic Relations. This Council is comprised of the President of the Parliament (who is at the same time the President of the Council) and members representing all the national minorities in the Republic of Macedonia. The Council considers issues in the area of inter-ethnic relations in the Republic and presents its opinions and proposals for their resolution. Parliament is bound to consider the opinions and proposals for the Council and to make a decision on them.

Limitations on human rights and freedoms

49. Human rights and freedoms may be limited only in cases specified by the Constitution. As to the freedom and secrecy of letters and other forms of communication, there may be divergence from the principle of inviolability of correspondence on the basis of a relevant court order, should that be necessary for a criminal procedure or demanded by the interests of national defence. Programmes and actions of citizens' associations and political parties may not be directed to the violent destruction of the constitutional order of the State or to the incitement of war or stimulate national, racial or religious hatred or religious intolerance. The exercise of the right to peaceful assembly and public protest may be limited only in a state of war or emergency. The right to inviolability of the home may be limited by a relevant court decision in cases of detecting or preventing criminal offences or protecting people's health. The exercise of the right to freedom of movement may be limited by law only in cases when this is necessitated to protect State security, a criminal procedure, or to protect people's health.

In addition, the law may limit the conditions for the exercise of the right to join trade unions and to strike within the armed forces, the police and the administration.

50. Human and civil rights and freedoms may be limited in a state of war or emergency, in compliance with relevant constitutional provisions. The limitation of freedoms and rights may not be discriminatory on the basis of sex, race, colour of skin, language, religion, national or social origin, property or social status. The right to life, the prohibition of torture, inhuman and humiliating treatment and punishment, the legislative determination of criminal offences and punishments, as well as the freedoms of belief, conscience, thought, public expression of thought and religion - may not be limited at all.